



PATENT  
Attorney Docket No.: 041465-5103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Naoaki HORIUCHI et al. )  
Application No.: 09/817,246 ) Group Art Unit: 2641  
Filed: March 27, 2001 ) Examiner: Unassigned  
For: AV INFORMATION PROCESSING UNIT )  
AND INFORMATION RECORDING )  
MEDIUM, IN WHICH AV )  
INFORMATION PROCESSING )  
PROGRAM IS RECORDED SO AS TO )  
BE CAPABLE OF BEING READ )  
BY COMPUTER )

Commissioner of Patents  
Washington, D.C. 20231

Sir:

RECEIVED  
DEC 31 2002  
Technology Center 2600

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. Each item of information contained in this Information Disclosure Statement (IDS) was cited in a European Search Report issued by the European Patent Office on November 11, 2002 in a counterpart foreign application. A copy of the European Search Report is enclosed for the Examiner's consideration.

To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application and no fees are believed to be necessary.

A copy of the listed documents is attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: December 30, 2002

By: 

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**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.